

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

LISA CASEY KISER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 7:20-cv-00562-ACA-HNJ
	)	
PATRICIA BRADLEY, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

On May 1, 2023, the magistrate judge entered a report recommending the dismissal of the federal claims in this action for failure to state a claim and dismissal of the state claims based on a declination of supplemental jurisdiction. (Doc. 26). Although the magistrate judge advised Plaintiff Lisa Marie Kiser of her right to file written objections within fourteen days, as well as the consequences of failing to object (*id.* at 72), the court has not received any objections.

Ms. Kiser's failure to file specific objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. The court therefore **ADOPTS** the magistrate judge's report and **ACCEPTS** the recommendation.<sup>1</sup> In particular, the court emphasizes the shotgun nature of

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<sup>1</sup> In making his recommendation, the magistrate judge considered every filing Ms. Kiser ever submitted to the court. (*See* doc. 26 at 6 n.2). While the court commends the magistrate judge's thoroughness, the court notes that “[p]ro se

Ms. Kiser's amended complaint, despite having the opportunity to replead once already. (*See* doc. 26 at 68–71). The court **WILL DISMISS** Ms. Kiser's federal claims **WITHOUT PREJUDICE** for failure to state a claim and **WILL DECLINE** to exercise supplemental jurisdiction over Ms. Kiser's state law claims.

The court will enter a separate final order consistent with this opinion.

**DONE** and **ORDERED** this May 26, 2023.



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**ANNEMARIE CARNEY AXON**  
UNITED STATES DISTRICT JUDGE

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litigants . . . are required to conform to procedural rules.” *Roy v. Ivy*, 53 F.4th 1338, 1346 (11th Cir. 2022). The Federal Rules of Civil Procedure require a party to assert any claims she is making in her operative pleading. *See* Fed. R. Civ. P. 8(a)(2). Accordingly, even if the reasons given by the magistrate judge for dismissal of the claims asserted in abrogated pleadings or other documents filed with the court were erroneous, the court would have disregarded those claims as improperly pleaded.